

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

**GEORGETTE B. THORNTON,**

**Plaintiff**

**VS.**

**CHIEF JUDGE SARAH F. WALL,**

**Defendant**

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**CIVIL No: 5:22-CV-00336-MTT-MSH**

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**ORDER OF DISMISSAL**

*Pro se* Plaintiff Georgette B. Thornton, a prisoner at Pulaski State Prison in Hawkinsville, Georgia, has filed a civil rights complaint under 42 U.S.C. § 1983. ECF No. 1. Plaintiff has also filed a motion for leave to proceed *in forma pauperis*. ECF No. 2. A review of the Court’s records reveals that the above-captioned claim is duplicative of another pending claim filed by this Plaintiff. *Compare* ECF No.1 with ECF No. 10 in *Thornton v. Department of Corrections*, Case No. 5:22-cv-00223-TES-MSH. In both complaints, the Plaintiff is complaining about Defendant Judge Wall’s actions and decisions regarding Plaintiff’s incarceration and sentence.

“As part of its general power to administer its docket, a district court may stay or dismiss a suit that is duplicative” of another active case. *Curtis v. Citibank*, 226 F.3d 133, 138 (2d Cir. 2000). “[A] suit is duplicative ... if the parties, issues, and available relief do not significantly differ between the two actions.” *IA. Durbin, Inc. v. Jefferson Nat’l Bank*, 793 F.2d 1541, 1551 (11th Cir. 1986). Because Plaintiff’s claims in this action are

duplicative to her pending litigation in *Thornton v. Department of Corrections*, Case No. 5:22-cv-00223-TES-MSH, the present action is **DISMISSED** as duplicative.<sup>1</sup>

**SO ORDERED**, this 3rd day of October, 2022.

S/ Marc T. Treadwell  
MARC T. TREADWELL, CHIEF JUDGE  
UNITED STATES DISTRICT COURT

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<sup>1</sup> Plaintiff is cautioned that repetitive filing of duplicative complaints can subject Plaintiff to a dismissal of such complaints as frivolous or malicious under 28 U.S.C. § 1915A and therefore a “strike” under 28 U.S.C. § 1915(g). *See Daker v. Bryson*, Case No. 5:15-CV-88-CAR-CHW, 2017 WL 11427081, at \*2-4 (M.D. Ga. Dec. 29, 2017), *report and recommendation adopted*, No. 5:15-CV-88-TES-CHW, 2018 WL 9598914 (M.D. Ga. July 19, 2018); *Childs v. Miller*, 713 F.3d 1262, 1265 (10th Cir. 2013) (“When a pro se litigant files complaints that are repetitive, duplicative of other filings, without merit, or frivolous, he abuses the district court process.”); *Caballero v. Robinson*, 95 F.3d 49 (5th Cir. 1996) (unpublished opinion) (holding that a “plainly duplicative” lawsuit was “subject to dismissal as malicious and abusive” even though plaintiff named additional defendants in later-filed case).